

REMARKS/ARGUMENTS

In the Final Official Action, independent claims 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over MATSUMOTO et al. (U.S. Patent Application Publication No. 2003/0080958 A1) in view of DINWIDDIE, JR. et al. (U.S. Patent No. 5,434,590).

Upon entry of the present amendment, each of independent claims 20-22 has been amended. Claims 1-19 were previously cancelled. Thus, claims 20-22 are currently pending for consideration by the Examiner.

Independent claims 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over MATSUMOTO in view of DINWIDDIE, JR. With regard to independent claim 20, the Final Official Action asserts that MATSUMOTO discloses an image generating apparatus (1) that superimposes a plurality of layers for display, including a drawing application processor (11), a graphics library (12), a drawing device (13), a graphics memory (16), and a superimposing unit (17), primarily citing MATSUMOTO's Figure 1 and the corresponding description. The Final Official Action also asserts that the apparatus stores and displays the different layers in a specified order.

The Final Official Action acknowledges that MATSUMOTO fails to disclose changing the specified order. However, the Final Official Action asserts that since MATSUMOTO teaches that the display list can be arranged or reconstructed, it would have been obvious to change the specified display order of the plurality of layers. The Final Official Action also acknowledges that MATSUMOTO fails to disclose a plurality of video and still image areas. However, the Final Official Action asserts that DINWIDDIE, JR. teaches the concurrent display of a plurality of different image signals, including a rapidly changing signal (e.g., full motion video) and a relatively constant signal (e.g., text or graphics), and concludes that independent

claim 20 would have been obvious. The Final Official Action rejected independent claims 21-22 under a similar rationale.

Applicants respectfully traverse the rejection of claims 20-22 under 35 U.S.C. § 103(a) as being unpatentable over MATSUMOTO in view of DINWIDDIE, JR. Applicants respectfully submit that the specific combination of features recited in each of independent claims 20-22 would not have been obvious to one of ordinary skill in the art at the time of the invention.

With regard to independent claim 20, as noted above, the Final Official Action acknowledges that MATSUMOTO fails to disclose changing the specific order of superimposing at least one of the graphics images that is stored in the plurality of graphics area, at least one of the video images that is stored in the plurality of video images, and at least one of the still images that is stored in the plurality of still areas. However, the Final Official Action asserts that DINWIDDIE, JR. discloses this feature, citing DINWIDDIE, JR.'s column 1, lines 48-67.

Contrary to this assertion, Applicants submit that the cited section of DINWIDDIE, JR., i.e., column 1, lines 48-67, only discloses the displaying of a synthesized, superimposed image having two planes, instead of three planes. In other words, DINWIDDIE, JR. fails to disclose the superimposing of three distinct images, including a graphics image, a video image, and a still image on three separate planes, as explicitly recited in independent claim 20. Instead, DINWIDDLE, JR. only discloses the superimposing of a video image and a text or graphics image on two separate planes.

Additionally, Applicants submit that DINWIDDIE, JR. teaches a fixed superimposing arrangement, wherein the video image is always displayed in the background, whereas the text or graphics image is always displayed in the foreground. In distinct contrast, Applicants submit

that Applicants' display processor can display the graphics image, the video image, and the still image in a variable order dependent upon the specific order stored in the order storage.

Furthermore, Applicants submit that neither MATSUMOTO, nor DINWIDDIE, JR., nor the combination thereof, discloses or renders obvious the provision of three distinct storage areas for storing graphics images, video images, and still images.

For at least the reasons discussed above, Applicants submit that the particular combination of features recited in independent claim 20 would not have been obvious to one of ordinary skill in the art at the time of the invention. Nevertheless, in order to expedite the prosecution of the present patent application to allowance, Applicants have amended independent claim 20 to explicitly recite that: *the specific order stored in the order storage can be changed according to the request from the program executed by the executioner*. Applicants submit that support for the amendment is at least provided in the section of Applicants' specification from page 39, line 13, through page 41, line 1.

Applicants submit that neither MATSUMOTO, nor DINWIDDIE, JR, nor the combination thereof, discloses or renders obvious that the specific order stored in the order storage can be changed in the specific manner explicitly recited in amended independent claim 20, i.e., according to the request from the program executed by the processor. For instance paragraphs [0076] and [0083] in MATSUMOTO only disclose the arranging and reconstructing of a display list. Additionally, DINWIDDIE, JR. only discloses in column 1, lines 48-67, the merging of two planes.

Thus, for the reasons discussed above, Applicants submit that the specific combination of features recited in amended independent claim 20 would not have been obvious to one of ordinary skill in the art at the time of the invention. Additionally, Applicants submit that

amended independent method claim 21 and amended independent computer-readable medium claim 22 are also patentable for reasons similar to the reasons discussed above regarding amended independent claim 20, since amended independent claims 21-22 recite features similar to the features recited in amended independent claim 20.

Accordingly, Applicants respectfully request that the rejection of claims 20-22 under 35 U.S.C. § 103(a) as being unpatentable over MATSUMOTO and DINWIDDIE, JR. be withdrawn. Additionally, Applicants request that an indication of the allowability of amended independent claims 20-22 be provided in the next Official communication.

SUMMARY

From the amendments, arguments, and remarks provided above, Applicants submit that all of the pending claims in the present patent application are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Final Official Action is respectfully requested and an indication of allowance of claims 20-22 is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the patent application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made by this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Takakazu SHIOMI et al.

Gary V. Harkcom
for Bruce H. Bernstein
Reg. No. 29,027

December 15, 2010
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Gary V. Harkcom
Reg. No. 62,956